

RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Jerry Hoover /s/		
Legal Advisor: Karen Fraley /s/		
Approving Deputy Chief:		
General Order No: E-100-04	Issued: June 9, 2004	Supersedes: 4/420.000, 4/775.000, 5/301.000
General Order Title: ACCESS TO RECORDS SECTION FILES		

POLICY

The Reno Police Department Records Section maintains and regulates access to civil and criminal information in conformance with applicable federal law and state statutes.

DEFINITION

Records Section Files are defined as, but not limited to, index cards, fingerprint cards, case and jacket files, mugshots, microfilm/fiche, warrant, court order and/or computer system files which contain civil and criminal information.

PROCEDURES

Direct Access

Direct access refers to the direct physical contact with Records Section files by an employee at the location where such files are normally secured.

Authorized Access

Direct access to Records Section files will be limited to Records Section employees and other employees specifically authorized by the Chief of Police, or the Custodian of Records, *i.e.*, auditors, staff inspection team members, internal affairs, etc. An employee who does not fall under one of the categories of authorized access is prohibited from directly entering Records Section files.

Indirect Access

Indirect access is defined as direct physical contact with Records Section files by an employee or authorized person with a department file other than at the location in which such files are

normally secured.

Indirect access to Records Section files will be specifically limited to authorized law enforcement agencies, their agents and subjects specifically authorized by the Chief of Police/designee or as defined and mandated by federal law and state statute, such as public records and citizen's requests. An employee authorized to have direct access to Records Section files who provides indirect access will be responsible for the following:

1. Identifying the requesting law enforcement agency or agent as a bona fide law enforcement agency or agent or that the citizens' request falls within the definition of state public records mandate. This will be achieved as follows:
 - By phone callback and number verification if necessary;
 - By authorized signature on bona fide law enforcement agency letterhead;
 - By examination of credentials for in-person requests.

2. Recording the following information surrounding the indirect access request, including:
 - Case Number (if applicable)
 - Name of individual for whom indirect access information is requested (if applicable)
 - Name of agency and agent requesting indirect access
 - Obtaining the signature of the agent or citizen requesting indirect access, if applicable
 - Amount charged for copies of a file or record (if applicable)
 - Method by which indirect access was requested, *i.e.*, phone, mail, or in person
 - Initials of employee providing indirect access
 - Date indirect access was provided

3. Determining that the circumstance surrounding the indirect access is in conformance with department release of information procedures.